

MINUTES OF WATERWAYS MANAGEMENT COMMISSION MEETING

FEBRUARY 07, 2012

A meeting of the Waterways Management Commission was duly called and held on Tuesday, February 07, 2012 at 7:00 p.m. at Dartmouth Town Hall. The meeting was called to order by the Chairman, Joseph Hannon. The following people were present: Chris Hemingway, Gerald Clark, Michael Gill, Roger Race and Warren Hathaway. Absent was Gerald Hickey. Also present was Mr. Steven Melo, Harbormaster.

Mr. Hannon reviewed the agenda for the evening. Mr. Hemingway moved to accept the agenda. Mr. Race seconded. So Moved.

The minutes of the meeting of November 01, 2011 were reviewed. Mr. Race moved to accept the minutes. Mr. Gill seconded. So Moved.

Old Business.

Mr. David Cressman was present to review Rogers Street, Mooring Regrid and Waterways By-laws.

Rogers Street Project. Mr. Hannon said that he and Mr. Hickey had met with Mr. Cressman on this issue. Mr. Cressman said that the Town sent a proposal to U-Mass in December for the Rogers St. site. He said it would be a 3-year lease to operate a women's sailing program. He said they are making it so both parties have some access to the area. During the Labor Day to Memorial Day season there could be 12 spaces for the lessee. He said that during the summer U-Mass may need more spaces for regattas and other events; otherwise, during this season the Town will have use of the spaces for the boating season. Mr. Cressman said that they have two to three regattas a year, they will use boats provided by Community Boating. He said that we will not be doing anything with Community Boating for this area. He said that the university will be paying all expenses for the house during the year. Mr. Cressman said that in turn U-Mass will be providing the Town residents with the use of the University Swimming Pool. Mr. Hemingway said that CPC, who providing funding for the Rogers St. project, has rights to use the area. Mr. Cressman said that the Town residents will still have use of the area during the prime summer season. Mr. Hannon asked if the Town can make an arrangement during the summer season for use of the parking area with CBC. Mr. Hannon is concerned that the cost of the house mortgage is still coming from boater's user money and he would like to see us recoup some of this money. Mr. Cressman said that he received a verbal call from U-Mass that their legal department is still looking at the contract. He said that use of the U-Mass pool could not start until after September since they are refurbishing the pool. Mr. Clark asked if Mr. Cressman had any ideas that could bring down the mortgage on the house. Mr. Cressman said not at this time, but if interest rates change they will look at the bond that includes the house. He said that he will look into some ideas for revenue-raising. Mr. Hemingway asked what can be done if CBC continues to use the area. Mr. Cressman said that it will become a legal issue. Mr. Melo asked if U-Mass would be able to sublease. Mr. Cressman said that it has to be approved by the Town. Mr. Hannon suggested putting in the lease that boat storage is not allowed. Mr. Cressman suggested that WMC and U-Mass work out an agreement for parking during the summer season. Mr. Hathaway asked whom U-Mass will be paying for use of the area. Mr. Cressman said that U-Mass will not be paying anyone; they will assume expenses for the house. He said that all utilities will be switched to U-Mass. Mr. Hemingway said that the house has a small septic system and port-a-potties will be needed. Mr. Hathaway feels that the sailing team will be a popular team, and maybe more restrictions should be placed on U-Mass.

North Side Re-grid. Mr. Hannon said that Mr. Melo has received four re-bids for the project. Mr. Melo said that the main difference between the two bids requested was that they can use a standard GPS and the time was extended to the end of the calendar year. Mr. Melo said that when the first bids came in high he inquired with the mooring companies and the biggest factor in the high bids was the sub-meter GPS. Mr. Melo said that he met with the two companies that came in below the \$25,000 limit; he said that Concordia claims two feet margin of error and Pioneer claimed less than 6 feet. Mr. Melo said that in areas of no overlap this isn't a major concern. Mr. Cressman said that future regulations could require that a sub-mergeable GPS be used for inspections. Mr. Cressman said that Pioneer will be awarded the contract; they will have to meet the insurance requirements of the Town. He said that one-third of the project will have to be done prior to March 31st weather permitting. He said

that Mr. Steve Gomes of Pioneer feels he can do most of the re-grid during March; and the balance prior to the boating season if the weather permits. Mr. Melo said the Pioneer cost per mooring went to \$95.00.; he said that there are about 225 active moorings on the North side. Mr. Hannon said that we can require a Submeter GPS be used for future inspections. Mr. Melo agreed. Mr. Cressman asked about the Sub-meter GPS. Mr. Race said that we would give three years for the mooring companies to acquire one for inspections. Mr. Melo feels that three years is good to allow the mooring companies to prepare for this. He said that we do not want to stop all companies from inspecting moorings and three years is a good time frame for the change. He said that this may increase the cost of inspections by the mooring companies. Mr. Race moved to give three years to the mooring companies to get a sub-meter GPS. Mr. Hathaway seconded. So Moved.

Mooring By-Laws. Mr. Hannon said that this is in reference to the failed article at Town Meeting. He said that we will be separating the General Court appeal from the second part of the article. He said we would like to go before the Select Board to review the article with them. Mr. Cressman said that the WMC can go before the Select Board on March 26th. Mr. Cressman said that we would point out to the Select Board that this is a means to bring the Town by-laws in compliance with the State Law; the second part would be to ask State Legislature for an article to reflect how we have been operating in the past. He feels that the two parts have to be separated. Mr. Cressman said we have until April to submit an article for Town Meeting. Mr. Hemingway moved that we recommend severing the portion below the **'and'** of the FATM Article #22 and resubmit it for the Spring Town Meeting. Mr. Race seconded. So Moved. Mr. Cressman said that the WMC or Select Board could sponsor the article.

Shellfish Regulations. Mr. Cressman said that he has been working with Mr. Melo on the shellfish regulations. He said the current ones are old. He said that Mr. Melo was presented a commercial scallop-fishing license that someone applied for. Mr. Melo said that the areas were unintentionally closed then re-opened; this is the first license request in ten years. Mr. Hannon said that the Shellfish Commission is working on this. Mr. Race said that he will remain the WMC representative on the Shellfish Commission. Mr. Cressman said that he and Mr. Melo should work on the regulations and bring it before the Shellfish Commission. Mr. Melo said that the F/Y 2013 budget will have some overlap with the Shellfish obligations.

F/Y 2013 Budget. Mr. Melo said that he is attending Shellfish meetings and it is included in his budget. He also said that the lights are shut off at Rogers Street during the off-season; what happens with the Rogers Street house will directly affect his budget. Mr. Melo said the waiting list has between 300-350 people on the list. He said that he estimates 1,000-day passes for parking in the lots. He removed the parking fee fines from the budget since he isn't sure that we will get any of that ticket money. Mr. Hemingway asked if we will put money into retained earnings. Mr. Melo said yes, but not as much as prior years. Mr. Melo said that 50% of the boat excise tax collected has to be used for improvements in the waterways enterprise. Mr. Gill suggested a one-year contract with U-Mass to see how it goes; Mr. Hannon said that they probably need a 3-year commitment to get the program going. Mr. Melo said that the Town Overhead was approximately \$30,000. but he needs the town charge to complete the Enterprise budget. Mr. Melo said that he was notified today that he must also do the Shellfish Budget, he will include part of an Assistant Harbormaster salary and some boat expenses in Shellfish. Mr. Hemingway asked about more hours for Lisa. Mr. Melo said ten hours each week will come from the Shellfish Budget for her work done for shellfish. Mr. Hemingway moved that all user fees will stay at the current rates. Mr. Hathaway seconded. So Moved.

Docks, Piers and Floats. Mr. Melo said that there are no regulations on this. He said that we need some restrictions on what people can put into the public water. Mr. Race asked if we should set up a sub-committee to research this; Mr. Melo doesn't feel it is necessary. Mr. Hemingway asked if the Army Corp. is involved in this. Mr. Melo said that ConCom and DEP are involved. Mr. Hannon asked who would adopt the regulations. Mr. Melo said that Town Meeting would have the final vote. Mr. Melo said that he will research this after the Shellfish Regulations are re-done.

Harbormaster Report.

Town Landing/Dock Repairs. Mr. Melo said that he has requested an estimate from Linberg Marine to repair the docks. Linberg is the last company to do work on it. He will also need two additional bids. He said there is no money currently set aside for major dock repairs; it will have to come from retained earnings or the operating budget. He will have them look at the Dias Landing dock and the pump-out dock. Mr. Hannon suggested having Town Meeting appropriate excise tax money for these projects directly.

Mr. Gill asked about getting the crushed area in the corner of the parking lot at Dias Landing repaired. Mr. Melo said that the State Access Board will have to be involved in this, perhaps with DPW assistance.

Mr. Melo said that the Town is trying to return the Sprung Buildings that are in storage at the DPW. Mr. Hemingway said that Town Meeting appropriated money to put up the buildings. Mr. Melo will contact the State Representative to see how to dispose of those buildings.

Public Comment.

None.

Election of Officers.

The present officers are Joseph Hannon, Chairman, Gerald Clark, Vice-Chairman and Steven Melo, non-voting Clerk.

Mr. Hannon nominated Mr. Gerald Clark as Chairman. Mr. Race seconded. So Moved.

Mr. Clark nominated Mr. Roger Race as Vice-Chairman. Mr. Hathaway seconded. So Moved.

Mr. Hannon nominated Mr. Steven Melo to remain as non-voting Clerk. Mr. Hemingway seconded. So Moved.

Mr. Clark thanked Mr. Hannon for a good year as Chairman of the WMC. He also said that anyone is welcome to call him anytime on any issues.

The next meeting is set for March 26, 2012 at 6:00 pm at the Town Hall. This meeting will be tied into the meeting with the Select Board.

It was moved and seconded to adjourn the meeting at 9:05 pm.

Respectfully submitted,

Diane L. Vieira